

Notice of Abandonment

Application No.

10/711,220

Examiner

Tejash D. Patel

Applicant(s)

BUSHMAN, BRADLEY J.

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☒ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Tejash D Patel
Primary Examiner
Art Unit: 3765

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

PATENT**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being electronically transmitted via EFS-WEB on October 24, 2007.

/kurt l grossman/ October 24, 2007
Kurt L. Grossman Date
Reg. No. 29,799

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/711,220
Filed: September 2, 2004
Group Art Unit: 3765
Applicant: Bradley J. Bushman
Examiner: Tajash D. Patel
Title: LIQUID-PROOF SLEEVE AND PROTECTIVE APPAREL
INCORPORATING SAME
Atty Docket: STAN-36
Confirmation No.: 5219

Cincinnati, Ohio 45202

October 24, 2007

Mail Stop Express Abandonment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS ABANDONMENT UNDER 37 CFR 1.138

Without acquiescing in any outstanding rejection in this case, I request that the above-identified application be expressly abandoned as of the filing date hereof. I am the attorney of record. No fee is believed due with this paper. If any fee is due, the Commissioner is authorized to charge any such fee or credit any overpayment to Deposit Account No. 23-3000.

Respectfully Submitted,
WOOD, HERRON & EVANS, L.L.P

/kurt l grossman/
Kurt L. Grossman, Reg. No. 29,799

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
(513) 241-2324 Phone
(513) 241-6234 Fax

431046-1 KGROSSMA